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Google, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EPIC GAMES, INC.,

Plaintiff, Counter-defendant,

vs.

APPLE INC.,

Defendant, Counterclaimant.

Case No. 4:20-CV-05640-YGR-TSH

**DECLARATION OF ASIM M.
BHANSALI IN SUPPORT OF APPLE
INC.'S ADMINISTRATIVE MOTION
TO PARTIALLY SEAL PORTIONS OF
THE PARTIES' TRIAL EXHIBITS AND
LIVE TRIAL TESTIMONY RELATED
THERE TO (ECF 659)**

The Honorable Yvonne Gonzalez Rogers

Trial: May 3, 2021

1 I, Asim M. Bhansali, declare as follows:

2 1. I am a member of the State Bar of California and a partner with Kwun Bhansali
3 Lazarus LLP, counsel of record for non-party Google, LLC. I have personal knowledge of the
4 matters set forth in this declaration and if called as a witness I could and would testify
5 competently to them. I submit this declaration in support of sealing portions of proposed trial
6 exhibit DX-4809 that is a subject of the Motion to Partially Seal Portions of the Parties' Trial
7 Exhibits and Live Trial Testimony Related Thereto. filed by Apple Inc., ECF 659.

8 2. Exhibit DX-4809, at 4809.001, reflecting Exhibit 53 from the Hitt Rebuttal Report,
9 contains non-public data on business revenues, including detailed non-public breakdowns of
10 revenue based on internal classifications. Counsel for Apple has informed counsel for Google
11 that this page contains information from a confidential document produced by Google in response
12 to a subpoena, GOOG_APPL_00099394.

13 3. Google previously submitted a declaration from Andrew Rope, ECF 506-1 at ¶17,
14 to seal the underlying document, GOOG_APPL_00099394, as DX-3584, which the Court
15 granted. In that declaration, a copy of which is attached hereto as Exhibit A, Mr. Rope explained
16 that this document contains non-public data on business revenues, including detailed non-public
17 breakdowns of revenue based on internal classifications, which, if revealed to competitors and
18 potential business counter-parties, could be used to disadvantage Google in marketing and in
19 negotiations.

20 4. In its Pretrial Order No. 7, ECF 547, at p. 3, line 5, this Court granted in part
21 Google's request to seal, including sealing GOOG_APPL_00099394, as DX-3584. A copy of the
22 Court's order is attached hereto as Exhibit B.

23 5. For the reasons explained in the Rope Declaration, and consistent with the Court's
24 Pretrial Order No. 7 granting Google's request to seal GOOG_APPL_00099394, Google
25 respectfully submits that the Court should seal page 4809.001 of Exhibit DX-4809, which reflects
26 data from GOOG_APPL_00099394 that the Court already has ruled should appropriately be
27 sealed.
28

1 I declare under penalty of perjury that the foregoing is true and correct and that I executed
2 this declaration on May 15, 2021, in San Francisco, California.

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5 /s/ Asim M. Bhansali
Asim M. Bhansali
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